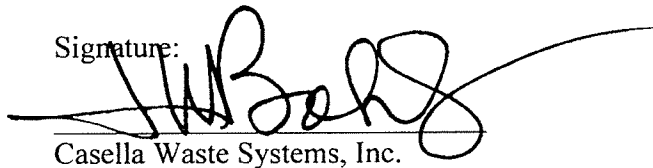


**Certification of Authorized Representative**

October \_\_, 2009  
Debra A. Howland  
Executive Director & Secretary  
New Hampshire Public Utilities Commission  
21 South Fruit Street, Suite 10  
Concord, NH 03301-2429

I, James W. Bohlig, Senior Vice President of Casella Waste Systems, Inc.,  
certify that Scott Henningham, Chief Financial Officer of Innovative Energy  
Systems, Inc., is authorized to execute and submit the New Hampshire  
Electric Renewable Portfolio Standard Application for the Hyland Landfill  
Gas Facility, pursuant to Chapter PUC 2500.

Signature:

  
Casella Waste Systems, Inc.

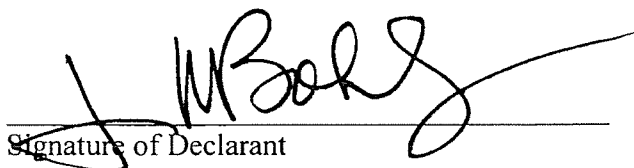
Date:

10/29/09

## General Affidavit under Oath

I, James W. Bohlig, ("Declarant"), Senior Vice President, Casella Waste Systems, Inc., incorporated in the State of Delaware, do hereby certify, swear or affirm, and declare that I am competent to give the following declaration. I have reviewed each section of the Hyland Landfill Gas Facility application and based on my personal knowledge hereby state the facts contained within the New Hampshire facility application for certificate acquisition submitted on my behalf are true and correct to the best of my knowledge.

WITNESS my signature this 28<sup>th</sup> day of October 2009 (month/year).

  
\_\_\_\_\_  
Signature of Declarant

# THE STATE of NEW HAMPSHIRE

## Public Utilities Commission

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*Facility Application to qualify for Class I certificate acquisition under  
PUC 2500 of the New Hampshire Electric Renewable Portfolio  
Standard*

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### SECTION I: IDENTIFICATION INFORMATION

- (1). Name and Address of Applicant:

Innovative Energy Systems, Inc.  
2999 Judge Road, Oakfield, NY 14125  
Scott Henningham,  
CFO Phone: 585-948-8550 phone  
Fax: 585-948-8584  
Email: shennigham@ieslfge.com

- (2) Name of Facility Owner:

Casella Waste Systems  
3 Pitkin Court  
Montpelier, VT 05602  
Larry Shilling  
Landfill District Manager  
585-466-7271  
585-466-3206  
[larry.shilling@casella.com](mailto:larry.shilling@casella.com)

- (3). Name and Location of the applying Facility:

Hyland, 6653 Herdman Road, Angelica, NY 14709

- (4). ISO-New England Asset Identification number:

\_\_\_\_\_ IMP 32717

(5). GIS Facility Code:

IMP 32717

(5) Name and Telephone number of the Facility's operator (Applicant), If different from the owner:

Innovative Energy Systems, Inc.  
2999 Judge Road, Oakfield, NY 14125  
Scott Henningham,  
CFO  
Phone: 585-948-8550  
Fax: 585-948-8584  
Email: shennigham@ieslfge.com

## **SECTION II: FACILITY AND FUEL DESCRIPTION**

(1). Fuel Type:

Landfill Gas

Gross Nameplate Generation Capacity:

4.8 MW

Initial Commercial Operation date:  
8/29/2008

Actual Facility Operation date, if different from Initial Commercial Operation date:

\_\_\_\_\_

(2) If a Biomass source provide –

NOx and particulate matter emission rates:

\_\_\_\_\_

Description of pollution control equipment:

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**Or** proposed practices for compliance with such requirements:

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- (3) Description of how the generation facility is connected to the distribution utility:

\_\_\_\_\_3 breaker ring bus, Station 249\_\_\_\_\_

- (4) Is the Facility's output verified by ISO-New England? If not explain how the output is verified:

Yes

- (5) Description of how the facility's output is reported to the GIS **if not** verified by ISO-New England:

---

### **SECTION III: CERTIFICATIONS**

- (1). List all other non-federal jurisdiction's renewable portfolio standards the facility has been certified under, if any, **AND** attach proof thereof:

Rhode Island  
Connecticut  
Massachusetts

## SECTION IV: REGULATORY COMPLIANCE DOCUMENTATION

List all applicable regulatory approvals and permits:

Facility	Permit	Approval / Permit Issued	Permit Description
Hyland	New York State Office of Parks, Recreation and Historic Preservation	7/03/2007	It was determined that the project will have No Impact upon cultural resources in or eligible for inclusion on the National Register of Historic Places.
Hyland	Title V	11/25/2003	Air permit
Hyland	Part 360 Modification (landfill) to add LFGTE facility	10/10/2007	Permit modified to include the operation of a landfill gas conveyance system for the LFGTE facility.
Hyland	SEQR Short Environmental Assessment Form and Negative Declaration	9/05/2007	Determined that the LFGTE facility will not have a significant environmental impact
Hyland	Chemical Bulk Storage Certificate	04/21/2008	Tanks G003 and G004 These two tanks have a capacity of 1,000 gallons and store ethylene glycol (chemical abstract # 107-21-1).
Hyland	Petroleum Bulk Storage Certificate	06/02/2006	Tanks G001 and G002 Tank G001 is a 8,000 lube oil tank Tank G002 is a 2,000 gallon used oil tank

- (2). Confirm whether applicant has an approved interconnection study on file with the commission **or** is a party to a current effective interconnection agreement, **or** is otherwise not required to undertake an interconnection study (explain):

See attached Interconnection agreement material.

- (3) If a biomass facility, has a copy of the completed application been filed with the New Hampshire department of environmental services (please attach documentation). (Check either "Yes" or "No")

☐ YES

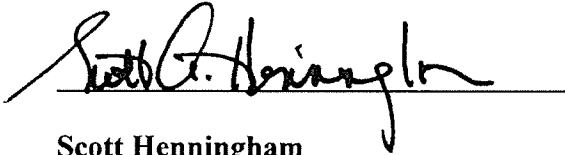
☐ NO

## SECTION V: ADDITIONAL INFORMATION

The Applicant may choose to provide in the space provided or through attached document(s), additional information to assist in classification of the generating facility. If document(s) are attached, provide a descriptive list below:

---

Respectfully Submitted By:

A handwritten signature in black ink, appearing to read "Scott C. Henningham", is written over a horizontal line.

**Scott Henningham**  
**CFO, Innovative Energy Systems, Inc**

## **SECTION VI: APPLICATION DOCUMENTATION CHECKLIST**

- ☐ Approved interconnection documentation on file with the commission or an agreement or statement and proof of exemption is attached.
- ☐ Proof the facility is certified under a non-federal jurisdiction's renewable portfolio standard.
- ☐ Attached is an affidavit signed and executed by the owner attesting to the accuracy of the contents of this application.



# STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC UTILITY CONTROL  
TEN FRANKLIN SQUARE  
NEW BRITAIN, CT 06051

DOCKET NO. 08-09-17    APPLICATION OF CASELLA WASTE SYSTEMS FOR  
QUALIFICATION OF HYLAND AS A CLASS I  
RENEWABLE ENERGY RESOURCE

October 31, 2008

By the following Commissioners:

John W. Betkoski, III  
Donald W. Downes  
Anthony J. Palermino

## DRAFT DECISION

### I. INTRODUCTION

#### A. SUMMARY

In this Decision, the Department of Public Utility Control determines that Casella Waste System's Hyland generating facility qualifies as a Class I renewable energy source as a methane gas from landfill facility and assigns it Connecticut Renewable Portfolio Standard (RPS) Registration Number CT00281-08.

#### B. BACKGROUND OF THE PROCEEDING

By application dated September 24, 2008 (Application), Innovative Energy Systems, Inc. (Innovative), an authorized agent of Casella Waste Systems, requested that the Department of Public Utility Control (Department) determine that the Hyland generating facility qualifies as a Class I renewable energy source.

**C. CONDUCT OF THE PROCEEDING**

There is no statutory requirement for a hearing, no person requested a hearing, and none was held.

**D. PARTICIPANTS IN THE PROCEEDING**

The Department recognized Innovative Energy Systems, Inc., 2999 Judge Rd., Oakfield, NY; and the Office of Consumer Counsel, Ten Franklin Square, New Britain, Connecticut 06051, as participants in this proceeding.

**II. DEPARTMENT ANALYSIS**

Pursuant to the General Statutes of Connecticut (Conn. Gen. Stat.) §16-1a(26), "Class I renewable energy source" includes energy derived from methane gas from landfills.

Conn. Gen. Stat. §16-245a(b), defines geographic eligibility to include energy imported into the control area of the regional independent system operator pursuant to New England Power Pool Generation Information System Rule (NEPOOL GIS) 2.7(c), as in effect on January 1, 2006.

As provided in the Application, Hyland is a methane gas from landfill facility located at 6653 Herdman Rd, Angelica, NY. Hyland began commercial operation on August 29, 2008 (Attachment #2, Letter dated Sept. 12, 2008 stating correct operation date), and has a nameplate capacity of 4.8 MW. As such, the project produces energy derived from methane gas from a landfill in New York, which is recognized as an adjacent control area by the Independent System Operator of New England. Therefore, the facility geographically qualifies to import power into the control area pursuant to NEPOOL GIS rule 2.7 and subsequently receives renewable energy certificates.

Hyland is an RPS-Qualified Renewable Generation Unit, fueled by landfill gas, under the New York Renewable Portfolio Standard. Hyland has been granted an Air Pollution Control – Air State Facility Permit (Permit) No. 9-0232-00003/00007 effective November 25, 2003 and modified December 20, 2006 from the New York State Department of Environmental Conservation. Permit, p.1. Further, The New York State Department of Environmental Conservation, Division of Solid & Hazardous Materials, Solid Waste Management Facilities (SWIMS) report as of July 2008 lists Hyland Landfill as an active municipal, solid waste landfill under private ownership operating as a mixed solid waste landfill under permit No. 9-0232-00003/00002 dated October 10, 2007. SWIMS Report, p. 18. See [www.dec.ny.gov/docs/materials\\_minerals\\_pdf/mswlist.pdf](http://www.dec.ny.gov/docs/materials_minerals_pdf/mswlist.pdf).

Based on the foregoing, the Department determines that Hyland qualifies as a Class I renewable energy facility.

### **III. FINDINGS OF FACT**

1. Hyland is recognized by the NY State Department of Environmental Conservation as an active municipal, solid waste landfill.
2. Hyland began operation on August 29, 2008.
3. Hyland has a nameplate capacity of 4.8 megawatts.
4. Hyland is a generating facility fueled by methane gas produced at the landfill.
5. Hyland is located in Angelica, New York.

### **IV. CONCLUSION**

Based on the evidence submitted, the Department finds that Hyland qualifies as a Class I renewable generation source pursuant to Conn. Gen. Stat. § 16-1a(26).

The Department assigns each renewable generation source a unique Connecticut RPS registration number. Hyland's Connecticut RPS registration number is CT00281-08.

The Department's determination in this docket is based on the information submitted by Innovative, an authorized agent of Casella Waste Systems. The Department may reverse its ruling or revoke the Applicant's registration if any material information provided by the Applicant proves to be false or misleading. The Department reminds Innovative that it is obligated to notify the Department within 10 days of any changes to any of the information it has provided to the Department.

DOCKET NO. 08-09-17    APPLICATION OF CASELLA WASTE SYSTEMS    FOR  
QUALIFICATION    OF    HYLAND    AS    A    CLASS    I  
RENEWABLE ENERGY RESOURCE

This Decision is adopted by the following Commissioners:

\_\_\_\_\_  
John W. Betkoski, III

\_\_\_\_\_  
Donald W. Downes

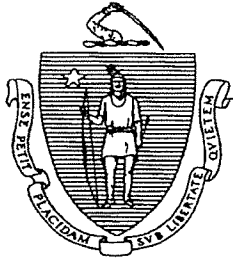
\_\_\_\_\_  
Anthony Palermino

CERTIFICATE OF SERVICE

The foregoing is a true and correct copy of the Decision issued by the Department of Public Utility Control, State of Connecticut, and was forwarded by Certified Mail to all parties of record in this proceeding on the date indicated.

\_\_\_\_\_  
Nicholas E. Neeley  
Acting Executive Secretary  
Department of Public Utility Control

\_\_\_\_\_  
Date



COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF  
ENERGY AND ENVIRONMENTAL AFFAIRS  
**DEPARTMENT OF ENERGY RESOURCES**  
100 CAMBRIDGE ST., SUITE 1020  
BOSTON, MA 02114  
Internet: [www.Mass.Gov/DOER](http://www.Mass.Gov/DOER)  
Email: [Energy@State.MA.US](mailto:Energy@State.MA.US)

**Deval L. Patrick**  
Governor

**Timothy P. Murray**  
Lieutenant Governor

**Ian A. Bowles**  
Secretary, Executive Office of Energy  
and Environmental Affairs

**Philip Giudice**  
Commissioner

TELEPHONE  
617-727-4732

FACSIMILE  
617-727-0030  
617-727-0093

August 18, 2008

Ms. Patricia Stanton  
Vice President, Clean Energy Markets  
Conservation Services Group  
40 Washington, Street  
Westborough, MA 01581

**RE: RPS Eligibility Decision**  
**Hyland**  
**4.8 MW in Angelica, NY [LG-1096-08]**

Dear Ms. Stanton,

On behalf of the Department of Energy Resources (the Department), I am pleased to inform you that your Statement of Qualification Application for the Hyland landfill project, pursuant to the Massachusetts Renewable Energy Portfolio Standard (RPS) Regulations, 225 CMR 14.00, is hereby approved. The Department finds that the Generation Unit meets the requirements for eligibility as a New Renewable Generation Unit pursuant to 225 CMR 14.05.

Qualification of this Generation Unit is, however, subject to certain conditions that are detailed in the enclosed Statement of Qualification. Those conditions, *which recently were revised*, are based on provisions of the RPS Regulations at 225 CMR 14.05(5) that pertain to any Generation Unit that is located outside of the ISO New England Control Area.

In addition, please note that, when a NEPOOL GIS Import identification number is assigned to the Unit, you must inform the Department's RPS Program Manager of that number (see below).

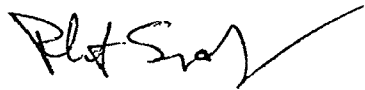
Each Massachusetts New Renewable Generation Unit is also assigned a unique Massachusetts RPS Identification Number (MA RPS ID#). The MA RPS ID # stated on the Statement of Qualification must be included in all correspondence with the Department. Hyland's MA RPS ID# is **LG-1096-08**

The Department wishes to remind you of the notification requirements for changes in eligibility status contained in 225 CMR 14.06(3). The Owner or Operator of the Generation Unit shall submit notification of such changes to the Department no later than five days following the end of the month during which such changes were implemented. Also please inform the Department of any changes in capacity, contact information, and identity of the Owner or Operator.

Finally, the Department wishes to remind you to be cognizant of the Operating Rules and the reporting requirements of the NEPOOL GIS, including emissions reporting, which may be amended from time to time, and compliance with which may affect the RPS qualification of your Generation Unit's GIS certificates.

If you have any questions or concerns about the Statement of Qualification or about any aspect of the RPS program, please contact the RPS Program Manager, Howard Bernstein, at the Department's address, (617) 626-7355 (his direct line), or [howard.bernstein@state.ma.us](mailto:howard.bernstein@state.ma.us). Thank-you.

Sincerely,

A handwritten signature in black ink, appearing to read "Rt Sydney", with a long, sweeping horizontal line extending to the right.

Robert Sydney  
General Counsel

Encl: Statement of Qualification

**COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS  
DEPARTMENT OF ENERGY RESOURCES**

**Statement of Qualification**

**Pursuant to the Renewable Energy Portfolio Standard  
225 CMR 14.00**

This Statement of Qualification, provided by the Massachusetts Department of Energy Resources (DOER or the Department), signifies that the Generation Unit identified below, as described in a Statement of Qualification Application dated August 11, 2008, meets the requirements for eligibility as a New Renewable Generation Unit, pursuant to the Renewable Energy Portfolio Standard 225 CMR 14.05, as of the approval date of the Application for Statement of Qualification, this 18<sup>th</sup> day of August, 2008.

Generation Unit Name, Capacity, and Location:

**Hyland**  
4.8 MW  
Angelica, NY

Authorized Representative's Name and Address:

Ms. Patricia Stanton  
Vice President, Clean Energy Markets  
Conservation Services Group  
40 Washington, Street  
Westborough, MA 01581

Qualification of this Generation Unit is subject to the following provisions:

1. Prior to commencing exports of electrical energy to the ISO New England (ISO-NE) Control Area pursuant to this Statement of Qualification, the Generation Unit Owner, Operator, or authorized agent shall submit for the Division's review any and all contracts executed between the Generation Unit Owner or Operator and an electrical energy purchaser located in the ISO-NE Control Area for delivery of the Unit's electrical energy to the ISO-NE Control Area. Such contracts shall include provisions that provide for associated transmission rights for delivery of the Unit's electrical energy over the ties from the New York control area to the ISO-NE Control Area. Upon the Division's determination that such contracts are consistent with applicable provisions of 225 CMR 14.00, the Division will instruct the NEPOOL GIS Administrator to treat as Massachusetts New Renewable Generation any imports of electrical energy from the Unit that are documented in such contracts and in accordance with the other provisions of this Statement of Qualification.
2. The Generation Unit Owner, Operator, or authorized agent shall provide to the Division by July 1st of each year a certification that the Generation Unit's New Renewable Generation Attributes used for compliance with the Massachusetts Renewable Energy Portfolio Standard during the previous Compliance Year have not otherwise been, nor will be, sold, retired, claimed or represented as part of electricity output or sales, or used to satisfy obligations in jurisdictions other than Massachusetts.
3. The portion of the total electrical energy output that qualifies as New Renewable Generation in a given time period shall meet the requirements of Rule 2.7 (c) of the

NEPOOL GIS Operating Rules, or any successor rule; and the Generation Unit Owner, Operator, or authorized agent must provide documentation, satisfactory to the Division, that:

- a. the electrical energy delivered pursuant to the Legal Obligation was settled in the ISO-NE Settlement Market System;
- b. the Generation Unit produced, during each hour of the applicable month, the amount of MWhs claimed, as verified by the NEPOOL GIS administrator; if the originating Control Area employs a Generation Information System that is comparable to the NEPOOL GIS, such system may be used to support such documentation;
- c. the electrical energy delivered under the Legal Obligation received a North American Electric Reliability Council Tag (NERC Tag) confirming transmission from the originating Control Area to the ISO-NE Control Area; and
- d. the New Renewable Generation Attributes have not otherwise been, nor will be, sold, retired, claimed, used or represented as part of electrical energy output or sales, or used to satisfy obligations in jurisdictions other than Massachusetts.

This Unit's NEPOOL GIS Identification Number is:

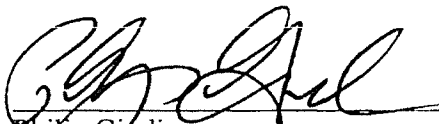
(pending)

*The Owner, Operator, or authorized agent of the New Renewable Generation Unit is responsible for expeditiously informing the Division of the NEPOOL GIS Identification Number upon its assignment by the NEPOOL GIS Administrator.*

This New Renewable Generation Unit is assigned a unique Massachusetts RPS Identification Number, listed below. Please include the ID number on all correspondence with DOER.

**MA RPS ID #: LG-1096-08**

Pursuant to 225 CMR 14.06, the Owner or Operator of the New Renewable Generation Unit is responsible for notifying DOER of any changes in the characteristics of the Generation Unit that could affect its eligibility status. The Owner or Operator of the Generation Unit is also responsible for notifying DOER of any changes in the Unit's ownership, generation capacity, or contact information. DOER may suspend or revoke this Statement of Qualification if the Owner or Operator of a New Renewable Generation Unit fails to comply with 225 CMR 14.00, including the provisions of this Statement of Qualification.



Philip Giudice  
Commissioner

Department of Energy Resources

Date:

8/18/08



STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

Docket No. 2008-414

October 17, 2008

HYLAND INNOVATIVE ENERGY SYSTEMS  
Request for Certification for RPS Eligibility

ORDER GRANTING NEW  
RENEWABLE RESOURCE  
CERTIFICATION

REISHUS, Chairman; VAFIADES and CASHMAN, Commissioners

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**I. SUMMARY**

The Hyland Landfill Gas Facility (Hyland) is certified as a Class I new renewable resource that is eligible to satisfy Maine's new renewable resource portfolio requirement pursuant to Chapter 311, § 3(B) of the Commission rules.

**II. BACKGROUND**

**A. New Renewable Resource Portfolio Requirement**

During its 2007 session, the Legislature enacted an Act To Stimulate Demand for Renewable Energy (Act). P.L. 2007, ch. 403 (codified at 35-A M.R.S.A. § 3210(3-A)). The Act added a mandate that specified percentages of electricity that supply Maine's consumers come from "new" renewable resources.<sup>1</sup> Generally, new renewable resources are renewable facilities that have an in-service date, resumed operation or were refurbished after September 1, 2005. The percentage requirement starts at one percent in 2008 and increases in annual one percent increments to ten percent in 2017, unless the Commission suspends the requirement pursuant to the provisions of the Act.

As required by the Act, the Commission modified its portfolio requirement rule (Chapter 311) to implement the "new" renewable resource requirement. *Order Adopting Rule and Statement of Factual and Policy Basis*, Docket No. 2007-391 (Oct. 22, 2007). The implementing rules designated the "new" renewable resource

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<sup>1</sup> Maine's electric restructuring law, which became effective in March 2000, contained a portfolio requirement that mandated that at least 30% of the electricity to supply retail customers in the State come from eligible resources, which are either renewable or efficient resources. 35-A M.R.S.A. § 3210(3). The Act did not modify this 30% requirement.

requirement as "Class I"<sup>2</sup> and incorporated the resource type, capacity limit and the vintage requirements as specified in the Act. The rules thus state that a new renewable resource used to satisfy the Class I portfolio requirement must be of the following types:

- fuel cells;
- tidal power;
- solar arrays and installations;
- wind power installations;
- geothermal installations;
- hydroelectric generators that meet all state and federal fish passage requirement; or
- biomass generators, including generators fueled by landfill gas.

In addition, except for wind power installations, the generating resource must not have a nameplate capacity that exceeds 100 MW. Finally, the resource must satisfy one of four vintage requirements. These are:

- 1) renewable capacity with an in-service date after September 1, 2005;
- 2) renewable capacity that has been added to an existing facility after September 1, 2005;
- 3) renewable capacity that has not operated for two years or was not recognized as a capacity resource by the ISO-NE or the NMISA and has resumed operation or has been recognized by the ISO-NE or NMISA after September 1, 2005; or
- 4) renewable capacity that has been refurbished after September 1, 2005 and is operating beyond its useful life or employing an alternate technology that significantly increases the efficiency of the generation process.

The implementing rules (Chapter 311, § 3(B)(4)) establish a certification process that requires generators to pre-certify facilities as a new renewable resource under the requirements of the rule and provides for a Commission determination of resource eligibility on a case-by-case basis.<sup>3</sup> The rule contains the information that must be included in a petition for certification and specifies that the Commission shall provide an opportunity for public comment if a petitioner seeks certification under

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<sup>2</sup> The "new" renewable resource requirement was designated as Class I because the requirement is similar to portfolio requirements in other New England states that are referred to as "Class I." Maine's pre-existing "eligible" resource portfolio requirement is designated as Class II.

<sup>3</sup> In the *Order Adopting Rule* at 6, the Commission noted that a request for certification can be made at any time so that a ruling can be obtained before a capital investment is made in a generation facility.

vintage categories 2, 3 and 4. Finally, the rule specifies that the Commission may revoke a certification if there is a material change in circumstance that renders the generation facility ineligible as a new renewable resource.

B. Petition for Certification

On October 9, 2008, Hyland Innovative Energy Systems (HIES) filed a petition to certify the Hyland facility as a Class I renewable resource. The Hyland facility is a 4.8 MW landfill gas facility located in Angelica, New York. The petition states that that Hyland facility came online September 12, 2008.

III. **DECISION**

The Commission has delegated to the Director of Technical Analysis the authority to certify generation facilities as Class I new renewable resources pursuant to Chapter 311, § 3(B) of the Commission rules. *Delegation Order*, Docket No. 2008-184 (April 23, 2008). Based on the information provided by HIES, I conclude that the Hyland facility satisfies the resource type, capacity limit and vintage requirements of the rule. The Hyland facility is fueled solely by landfill gas, and it was constructed and began operations after September 1, 2005. Accordingly, the Hyland Landfill Gas Facility is hereby certified as a Class I new renewable resource that is eligible to satisfy Maine's new renewable resource portfolio requirement pursuant to Chapter 311, § 3 of the Commission rules.<sup>4</sup> HIES shall provide timely notice to the Commission of any material change in the operation of the facility from that described in the petition filed in this proceeding, including changes to the type of fuel used in the electricity generation process.

BY ORDER OF THE DIRECTOR OF TECHNICAL ANALYSIS

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Faith Huntington

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<sup>4</sup> In the petition, HIES asks that the facility be considered as eligible as of the date of the application. There are no provisions in Commission rules indicating a point in time in which eligibility becomes effective. Thus, all output from the facility regardless of when it was generated is eligible to satisfy Maine's new renewable resource portfolio requirement.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
PUBLIC UTILITIES COMMISSION

IN RE: APPLICATION FOR STANDARD CERTIFICATION     DOCKET NO. 3946  
AS ELIGIBLE RENEWABLE ENERGY RESOURCE FILED  
BY CONSERVATION SERVICES GROUP AS THE AUTHORIZED  
REPRESENTATIVE FOR CASELLA WASTE SYSTEMS

ORDER

WHEREAS, Effective January 1, 2006, the Rhode Island Public Utilities Commission ("Commission") adopted Rules and Regulations Governing the Implementation of a Renewable Energy Standard (RES Regulations) including requirements for applicants seeking certification as an Eligible Renewable Energy Resource under the RES Regulations<sup>1</sup> pursuant to the Renewable Energy Act, Section 39-26-1 et. seq. of the General Laws of Rhode Island; and

WHEREAS, On April 10, 2008, Casella Waste Systems ("Company", Authorized Representative: Stephanie Hamilton, Contracts Administrator Conservation Services Group 40 Washington St. Westborough, MA 01581, (T) 508-836-9500 x 13285; (F) 508-836-3181 Stephanie.Hamilton@csgroup.com) filed with the Commission an application seeking certification for its Hyland Generation Unit, a 4.8 MW biomass (landfill methane gas) energy Generation Unit located in Angelica, NY, as an eligible New Renewable Energy Resource under the State of Rhode Island RES Regulations; and

WHEREAS, Pursuant to Section 6.0 and other relevant Sections of the RES Regulations, a thirty (30) day period for public comment was provided during which time no comments were received, and

WHEREAS, After examination, the Commission is of the opinion that the application is proper, reasonable and in compliance with the RES Regulations, and

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<sup>1</sup> State of Rhode Island and Providence Plantations Public Utilities Commission Rules and Regulations Governing the Implementation of a Renewable Energy Standard – Date of Public Notice: September 23, 2005, Date of Public Hearing: October 12, 2005, Effective Date: January 1, 2006.

hereby grants the Company certification as an eligible renewable energy resource pursuant to the Renewable Energy Act, Section 39-26-1 et. seq. of the General Laws of Rhode Island; and

WHEREAS, The Commission's determination in this docket is based on the information submitted by the Company, and the Commission may reverse its ruling or revoke the Applicant's certification if any material information provided by the Applicant proves to be false or misleading.

Accordingly, it is

(19340) ORDERED:

1) That the Hyland Generation Unit, meets the requirements for eligibility as a New, Eligible Biomass Renewable Energy Resource with its 4.8 MW, Grid-Connected Generation Unit having a Commercial Operation Date of July, 2008 and located within a Control Area adjacent to NEPOOL in Angelica, NY.

2) That, as a Generation Unit which has not yet achieved Commercial Operation, eligibility is granted with a conditional requirement that the Company provide the Commission with written documentation verifying Commercial Operation and that the Company provide the Generation Unit's NEPOOL-GIS Asset Identification Number when assigned by NEPOOL following achievement of Commercial Operation.

3) That, following receipt from the Company of acceptable written documentation supporting the Generation Unit's Commercial Operation Date and provision of the NEPOOL-GIS asset identification number, Commission Staff is hereby authorized to assign a unique Rhode Island Public Utilities Commission Eligible Renewable Energy Resource Facility Certification Number for the Company's Generation Unit.

4) That, as a Generation Unit located in a control area adjacent to NEPOOL, eligibility is granted only to the extent that the energy produced by the Generation Unit is

actually delivered into NEPOOL for consumption by New England customers where delivery of such energy from the Generation Unit into NEPOOL is verified in accordance with Sections 5.1(ii) and 5.1(iii) of the RES regulations.

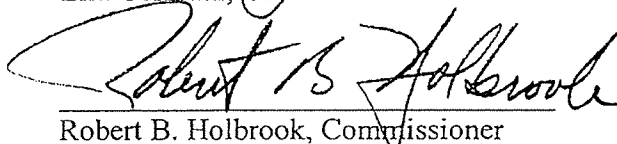
5) That, although the Commission will rely upon the documentation specified in Sections 5.1(ii) and 5.1(iii) of the RES Regulations and the NEPOOL GIS for verification of production of energy from the Company's Generation Unit certified as eligible in this Order, the Company will provide information and access as necessary to the Commission, or persons acting at its behest, to conduct audits or site visits to assist in verification of continued eligibility for and compliance with RI RES Certification at any time at the Commission's discretion. Such continuing verification shall include an annual affidavit and supporting documentation of use of eligible fuels.

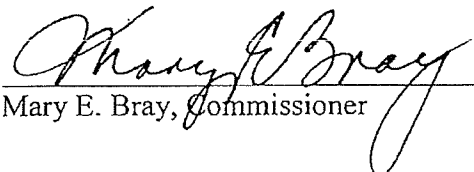
5) That the Company shall notify the Commission in the event of a change in the facility's eligibility status.

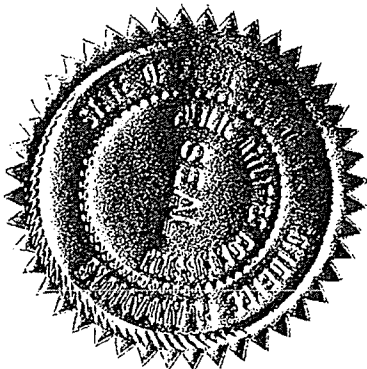
DATED AND EFFECTIVE AT WARWICK, RHODE ISLAND ON JULY 10, 2008 PURSUANT TO AN OPEN MEETING DECISION. WRITTEN ORDER ISSUED JULY 15, 2008.

PUBLIC UTILITIES COMMISSION

  
Elia Germani, Chairman

  
Robert B. Holbrook, Commissioner

  
Mary E. Bray, Commissioner



**STANDARD SMALL GENERATOR  
INTERCONNECTION AGREEMENT (SGIA)**

**(Applicable To Generating Facilities No Larger Than 20 MW)**

**by and among**

**NEW YORK INDEPENDENT SYSTEM OPERATOR, INC.,**

**ROCHESTER GAS AND ELECTRIC CORPORATION,**

**and**

**CASELLA WASTE SYSTEMS, INC.**

**(HYLAND LANDFILL PROJECT)**

**Dated as of \_\_\_\_\_, 2008**

Issued by: Elaine D. Robinson, Dir. Reg. Affairs  
Issued on:

Effective:

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## **STANDARD SMALL GENERATOR INTERCONNECTION AGREEMENT**

This Interconnection Agreement ("Agreement") is made and entered into this \_\_\_\_ day of August, 2008, by and among the New York Independent System Operator, Inc., a not-for-profit corporation organized and existing under the laws of the State of New York ("NYISO"), Rochester Gas and Electric Corporation, a corporation existing under the laws of the State of New York ("Transmission Owner"), and Casella Waste System, a corporation organized and existing under the laws of the State of Delaware ("Interconnection Customer") each hereinafter sometimes referred to individually as "Party" or referred to collectively as the "Parties."

### **NYISO Information**

#### **Before Commercial Operation of the Small Generating Facility:**

Attention: Director of System and Resource Planning  
10 Krey Boulevard  
Rensselaer, NY 12144  
Phone: (518) 356-6000  
Fax: (518) 356-6118

#### **After Commercial Operation of the Small Generating Facility:**

Attention: Vice President, Operations  
3890 Carman Road  
Schenectady, NY 12303  
Phone: (518) 356-6000  
Fax: (518) 356-6118

### **Transmission Owner Information**

Rochester Gas and Electric Corporation  
Attention: Manager Programs/Projects  
Electric Transmission Services  
18 Link Drive  
Binghamton, NY 13902-5224  
Phone: (607) 762-7606  
Fax: (607) 762-8666

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**Interconnection Customer Information**

Casella Waste Systems, Inc.  
Attention: Chief Development Officer  
25 Greens Hill Lane  
Rutland, VT 05701  
Phone: (802) 775-0325  
Fax: (802) 775-6198

Interconnection Customer Application No.: N/A \_\_\_\_\_

In consideration of the mutual covenants set forth herein, the Parties agree as follows:

**Article 1 Scope and Limitations of Agreement**

- 1.1 This Small Generator Interconnection Agreement ("SGIA") shall be used for all Interconnection Requests submitted under the Small Generator Interconnection Procedures (SGIP) except for those submitted under the 10 kW Inverter Process contained in SGIP Attachment 5.
- 1.2 This Agreement governs the terms and conditions under which the Interconnection Customer's Small Generating Facility will interconnect with, and operate in parallel with, the New York State Transmission System or the Distribution System.
- 1.3 This Agreement does not constitute an agreement to purchase or deliver the Interconnection Customer's power. The purchase or delivery of power and other services that the Interconnection Customer may require will be covered under separate agreements, if any, or applicable provisions of NYISO's or Transmission Owner's tariffs. The Interconnection Customer will be responsible for separately making all necessary arrangements (including scheduling) for delivery of electricity in accordance with the applicable provisions of the NYISO OATT and Transmission Owner's tariff. The

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New York Independent System Operator, Inc.  
FERC Electric Tariff  
Service Agreement No.

Original Sheet No. 33

13.5 Changes to the Notice Information

Either Party may change this information by giving five Business Days written notice prior to the effective date of the change.

**Article 14. Signatures**

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their respective duly authorized representatives.

For the NYISO

Name: Henry Chao / HENRY CHAO  
Title: VP SYSTEM & RESOURCE PLANNING  
Date: 8/21/2008

For the Transmission Owner

Name:

Title:

Date:

For the Interconnection Customer

Name:

Title:

Date:

Issued by: Elaine D. Robinson, Dir. Reg. Affairs  
Issued on:

Effective:

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13.5 Changes to the Notice Information

Either Party may change this information by giving five Business Days written notice prior to the effective date of the change.

**Article 14. Signatures**

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their respective duly authorized representatives.

For the NYISO

Name:

Title:

Date:


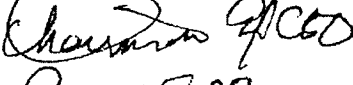
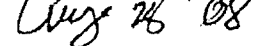
For the Transmission Owner

Name:

Title:

Date:

For the Interconnection Customer

Name:   
Title:   
Date: 

Issued by: Elaine D. Robinson, Dir. Reg. Affairs  
Issued on:

Effective:

13.5 Changes to the Notice Information

Either Party may change this information by giving five Business Days written notice prior to the effective date of the change.

**Article 14. Signatures**

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their respective duly authorized representatives.

For the NYISO

Name:

Title:

Date:

For the Transmission Owner

Name: *W. H. Mad*

Title: *President - Transmission*

Date: *8/25/08*

For the Interconnection Customer

Name:

Title:

Date:

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Issued on:

Effective: